

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

APR 06 2018

CARLA A. CLEHM

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Case No. 7:16-cv-00012

v.

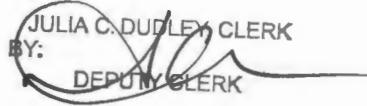
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BAE SYSTEMS ORDNANCE
SYSTEMS, INC., et al.

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By: Hon. Michael F. Urbanski
Chief United States District Judge

Defendants.)

JULIA C. DUDLEY CLERK
BY:
DEPUTY CLERK



ORDER

For the reasons set forth in the accompanying Memorandum Opinion entered this day, it is hereby **ORDERED** as follows:

1. Defendant Joshua Linkous's motion to dismiss (ECF No. 185) is **DENIED**.
2. Linkous is estopped from contesting liability as to the state law assault and battery claim alleged against him in Count II of the Second Amended Complaint. See 18 U.S.C. § 3664(j). As such, judgment will be entered in Clehm's favor as to this sole remaining claim.
3. The Clerk is directed to work with counsel and the Bureau of Prisons to schedule a one-day jury trial as to damages **only**. Defendant shall appear via videoconference from FCI Butner, where he is currently being housed.

It is **SO ORDERED**.

The Clerk is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to counsel of record and to pro se defendant Joshua Linkous, # 18904-084, FCI Butner, P.O. Box 999, Butner, NC 27509.

Entered: 04-06-2018

ts/ Michael F. Urbanski

Michael F. Urbanski
Chief United States District Judge